

REMARKS

Reconsideration is requested.

Claims 55, 59, 60, 62 and 68-93 are pending. Claims 74-76 and 90-93 have been withdrawn from consideration.

Claims 55 has been revised, without prejudice, to require a molecule previously indicated by the Patent Office in a priority application as being patentable. Specifically, the additional required molecules are individually claimed in the claims and patents noted in the following Table:

molecules	Patent - claims
SEQ ID NO: 1, SEQ ID NO: 2, SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, SEQ ID NO: 12, SEQ ID NO: 13, SEQ ID NO: 14, SEQ ID NO: 16, SEQ ID NO: 17, SEQ ID NO: 18, SEQ ID NO: 19, SEQ ID NO: 20	U.S. Patent No. 6,007,982 – claims 1-7; U.S. Patent No. 5,910,404 – claims 1-6; U.S. Patent No. 5,922,532 – claims 1-5
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 7 to 26 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 1
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 13 to 32 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 2
a peptide consisting of amino	U.S. Patent No. 6,872,520 – claim 3

molecules	Patent - claims
acids 37 to 56 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 49 to 68 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 4
a peptide consisting of amino acids 61 to 80 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 5
a peptide consisting of amino acids 73 to 92 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 6
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 1688 to 1707 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,287,761 – claim 1
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 1694 to 1713 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,287,761 – claim 5

molecules	Patent - claims
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 1706 to 1725 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,287,761 – claim 9
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 1712 to 1731 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,287,761 – claim 13
a peptide consisting of at least 5 to at most 12 amino acids located in the region consisting of amino acids 1718 to 1737 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,287,761 – claim 17
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 1724 to 1743 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,287,761 – claim 19
a peptide consisting of at least 5 to at most 12 amino acids located in the region consisting of amino acids 1730 to 1749 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,287,761 – claim 23

molecules	Patent - claims
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 2287 to 2306 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,576,417 – claim 1
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 2299 to 2318 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,576,417 – claim 4
a peptide consisting of at least 5 to less than 20 amino acids located in the region consisting of amino acids 2311 to 2330 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,576,417 – claim 7
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:2	U.S. Patent No. 6,872,520 – claim 19
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:4	U.S. Patent No. 6,872,520 – claim 20
a peptide consisting of 5, 6, 8, 12 or 20 amino acids of amino acids 37 to 56 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 22
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:6	U.S. Patent No. 6,872,520 – claim 21

molecules	Patent - claims
a peptide consisting of 5, 6, 8, 12 or 20 amino acids of amino acids 61 to 80 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 23
a peptide consisting of 5, 6, 8, 12 or 20 amino acids of amino acids 73 to 92 of the HCV polyprotein of an HCV isolate which is capable of providing for immunological competition with at least one strain of HCV	U.S. Patent No. 6,872,520 – claim 24
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:9	U.S. Patent No. 6,287,761 – claim 2
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:10	U.S. Patent No. 6,287,761 – claim 6
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:11	U.S. Patent No. 6,287,761 – claim 10
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:12	U.S. Patent No. 6,287,761 – claim 14
a peptide consisting of at least 5 to at most 12 amino acids of SEQ ID NO:13	U.S. Patent No. 6,287,761 – claim 18
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO:14	U.S. Patent No. 6,287,761 – claim 20
a peptide consisting of at least 5 to at most 12 amino acids of SEQ ID NO:15	U.S. Patent No. 6,287,761 – claim 24
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO: 18	U.S. Patent No. 6,576,417 – claim 10
a peptide consisting of at least 5 to less than 20 amino acids of SEQ ID NO: 19	U.S. Patent No. 6,576,417 – claim 11
a peptide consisting of at least 5 to less than 20 amino acids of	U.S. Patent No. 6,576,417 – claim 12

molecules	Patent - claims
SEQ ID NO: 20	

No new matter has been added. Claim 55 requires a molecule deemed to be patentable over the art of record as the noted claims of the cited patents.

Claim 71 has been rewritten in independent form as the required molecules are submitted to be patentable over the cited art. Specifically, while the cited art may describe fragments 1-25, 5-20, 1-50, 1-84, 45-65, 65-75, 80-92, 1690-1720, 1694-1735, 1720-1745, 2265-2280, 2275-2294, 2290-2310 and 2310-2330, as summarized by the Examiner on page 6 of the Office Action dated February 5, 2008, the reference fails to describe the specific sequences required in claim 71 (i.e., at least one of a sequence of amino acids 1-92 of an HCV polyprotein, a sequence of amino acids 1-92 of SEQ ID NO: 23, a sequence of amino acids 1688-1749 of an HCV polyprotein, a sequence of amino acids 1688-1749 of SEQ ID NO: 23, a sequence of amino acids 2263-2330 of an HCV polyprotein, and a sequence of amino acids 2263-2330 of SEQ ID NO: 23). For completeness, the Examiner is requested to indicate, with specificity, the column and line number of the disclosure of AA2275-2294 of Houghton (U.S. Patent No. 5,350,671) in the event any rejection based on the same is maintained.

No new matter has been added. Entry of the present Amendment is requested to advance prosecution.

The undersigned's review of the PTO IFW reveals that a Bibliographic Data Sheet indexed on May 2, 2007, and dated April 13, 2007 in the lower right corner of the Sheet, includes an acknowledgement that U.S. Serial No. 07/920,286 is a U.S. National

Phase of PCT/EP91/02409, in hand-written text initialed and dated "12/31/1991" by an unidentified individual. The undersigned has requested, on more than one occasion, a Corrected Filing Receipt which includes the acknowledgement that U.S. Serial No. 07/920,286 is a U.S. National Phase of PCT/EP91/02409. See November 2, 2007 for the most recent Request in this regard. The Office is again requested to issue a Corrected Filing Receipt.

Moreover, the Bibliographic Data Sheet indexed on May 2, 2007, and dated April 13, 2007 in the lower right corner of the Sheet does not acknowledge receipt of a copy of the foreign priority claim or that the requirements of 35 USC § 119 (a-d) have been met. Correction of the same is requested. Correction of the Patent Office records with regard to the Bibliographic Data Sheet however is also requested.

The Examiner is requested to hold in abeyance the obviousness-type double patenting rejection of claims 55, 59, 60, 62, 68-73 and 77-89 over claims 1-7, 12, 19-22, 27, 32, 33 and 38 of U.S. Patent No. 6,007,982, claims 1-6, 13-15, 22, 23, 26, 39 and 40 of U.S. Patent No. 5,910,404, claims 1-6, 13-24 and 26 of U.S. Patent No. 6,872,520, claims 1-5, 7, 12 and 21-24 of U.S. Patent No. 5,922,532, claims 1-3, 5-7, 9-11, 13-15, 17-24, 27 and 28 of U.S. Patent No. 6,287,761 and claims 1, 3, 4, 6, 7 and 9-12 of U.S. Patent No. 6,576,417, until such time as allowable subject matter is indicated.

Claims 55, 59, 60, 62, 68-73 and 77-89 are patentable over Houghton (U. S. Patent No. 5,350,671) and withdrawal of the Section 102 rejection of the claims based on the same is requested. The cited patent was considered by the Patent Office in

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Amendment After Final Rejection
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each of the previously granted related parent applications which claim at least one product required by independent claim 55 and claims dependent therefrom. As noted above, independent claim 71 requires molecules not described by the cited patent. Entry of the present Amendment and withdrawal of the Section 102 rejection are requested.

The claims are submitted to be in condition for allowance. Rejoinder and allowance of any claim defining a method of making and/or using a product defined by an allowable claim are requested.

Entry of the present Amendment and a Notice of Allowance are requested. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required.

Respectfully submitted,

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